

111TH CONGRESS
1ST SESSION

H. R. 4019

To amend the Public Health Service Act to limit preexisting condition exclusions in the individual health insurance market to those permitted in the group health insurance market.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 4, 2009

Mr. DEAL of Georgia (for himself, Mr. BURGESS, Mr. BUYER, and Mr. BLUNT) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to limit preexisting condition exclusions in the individual health insurance market to those permitted in the group health insurance market.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. LIMITING PREEXISTING CONDITION EXCLU-**
4 **SIONS IN THE INDIVIDUAL HEALTH INSUR-**
5 **ANCE MARKET TO THOSE PERMITTED IN THE**
6 **GROUP HEALTH INSURANCE MARKET.**

7 (a) IN GENERAL.—Section 2741 of the Public Health
8 Service Act (42 U.S.C. 300gg–41) is amended—

1 (1) by redesignating the second subsection (e)
 2 (relating to market requirements) and subsection (f)
 3 as subsections (f) and (g), respectively; and

4 (2) by adding at the end the following new sub-
 5 section:

6 “(h) APPLICATION OF GROUP HEALTH INSURANCE
 7 LIMITATIONS ON IMPOSITION OF PREEXISTING CONDI-
 8 TION EXCLUSIONS.—A health insurance issuer that pro-
 9 vides individual health insurance coverage may impose a
 10 preexisting condition exclusion (as defined in subsection
 11 (b)(1)(A) of section 2701) with respect to such coverage
 12 only to the extent the issuer may impose such a condition
 13 if such coverage were group health insurance coverage
 14 under such section.”.

15 (b) CONFORMING AMENDMENT.—Section 2744(a)(1)
 16 of such Act (42 U.S.C. 300gg–44(a)(1)) is amended by
 17 inserting “(other than subsection (h))” after “section
 18 2741”.

19 (c) EFFECTIVE DATE.—The amendments made by
 20 this section shall apply with respect to health insurance
 21 coverage offered, sold, issued, renewed, in effect, or oper-
 22 ated in the individual market beginning after the end of
 23 the 6th calendar month beginning after the date of the
 24 enactment of this Act.

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